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REMARKS

Claims 1-23 are pending. Claims 1, 9, and 16 have been amended based on recommendations made by the Examiner. Support for the amended claims is found on page 4, lines 1-2; page 13, lines 3-5 and 23-25; page 17, lines 8-10; page 18, lines 9-11; page 35, lines 20-24; page 36, lines 16-20; page 38, lines 25-28; and page 39, lines 24-27.

Claim Rejection – 35 USC §112, First Paragraph

Claims 1 (and claims 2-8 which depend therefrom), 9 (and claims 10-15 which depend therefrom) and 16 (and claims 17-23 which depend therefrom) stand rejected under 35 USC §112, first paragraph, as being non-enabling as to route of administration, site of inflammation, and type of nucleic acid which encodes LIF in the claimed invention.

Applicant has amended claims 1, 9, and 16 to recite methods for modulating the inflammation, swelling, and infiltration of macrophage in a patient comprising administering to a cutaneous site in the patient, a recombinant nucleic acid comprising nucleic acid encoding a biologically active fragment of LIF and promoter which is operably linked thereto and capable of expressing LIF wherein the recombinant nucleic acid is expressed and the LIF is produced for modulating the inflammation, swelling, or infiltration of macrophage.

Applicant accordingly requests withdrawal of the outstanding rejection.

Claim Rejection – 35 USC §112, Second Paragraph

Claims 1 (and claims 2-8 which depend therefrom), 9 (and claims 10-15 which depend therefrom) and 16 (and claims 17-23 which depend therefrom) stand rejected under 35 USC §112, second paragraph, as being indefinite.

Applicant has amended claims 1, 9, and 16 based on recommendations made by the Examiner.

Applicant accordingly requests withdrawal of the outstanding rejection

CONCLUSION

Applicant respectfully submits that the claims are now in condition for allowance. It upon review, the Examiner feels there are additional outstanding issues, the Examiner is invited to direct any calls in connection with this application to the undersigned at (415) 781-1989

Respectfully submitted,

Dorsey & Whitney LLP

Dated: _____

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